

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	Case No. 2:07CR28-MEF
)	
CLARENCE EARL BIVINS)	

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on May 14, 2007 before the undersigned Magistrate Judge. Present at this conference was the Honorable William Blanchard, counsel for the defendant, and Assistant United States Attorney Tommie Hardwick, counsel for the government. As a result of the conference, it is

ORDERED as follows:

1. Jury selection is set for **July 9, 2007**. The trial of this case is set for the trial term commencing on **July 9, 2007** before **Chief United States District Judge Mark E. Fuller** and is expected to last one trial day.
2. The following motion is currently pending: Defendant's Motion to Suppress. An evidentiary hearing on the motion is hereby set for **May 25, 2007 at 9:00 a.m.**
3. Proposed voir dire questions shall be filed on or before **July 2, 2007**. Counsel should not include questions seeking information which is provided in the jury questionnaire.
4. All Motions in Limine shall be filed on or before **July 2, 2007**. Motions in Limine must be accompanied by a brief. Failure to file a brief will result in denial of the

motion.

5. Proposed jury instructions shall be filed on or before **July 2, 2007**.

6. The court will not consider a plea pursuant to Rule 11(c) (1)(A) or (C) unless notice is filed on or before **noon on June 28, 2007**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on **July 9, 2007**. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on **July 9, 2007**, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 16th day of May, 2007.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE